

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

In re: Valsartan, Losartan, and Irbesartan  
Products Liability Litigation

HUMANA INC.

Plaintiff,

vs.

TEVA PHARMACEUTICALS USA, INC.,  
TEVA PHARMACEUTICAL INDUSTRIES  
LTD., ARROW PHARM MALTA LTD.,  
ACTAVIS LLC, ACTAVIS PHARMA, INC.,  
HETERO LABS, LTD., HETERO DRUGS,  
LTD., HETERO USA INC., CAMBER  
PHARMACEUTICALS, INC., AUROBINDO  
PHARMA, LTD., AUROBINDO PHARMA  
USA, INC., AUROLIFE PHARMA, LLC,  
TORRENT PRIVATE LIMITED, TORRENT  
PHARMACEUTICALS, LTD., and  
TORRENT PHARMA, INC.

Defendants.

Master Docket No. 19-2875 (RBK/JS)

Civil Action No. 20-10170

Honorable Robert B. Kugler,  
District Court Judge

**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS**  
**PURSUANT TO FRCP 41(A)(1)**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Humana Inc. (“Humana”) hereby gives notice of its voluntary dismissal of its individual suit (Case No. 20-1017) against Teva Pharmaceuticals USA, Inc., Teva Pharmaceutical Industries Ltd., Arrow Pharm Malta Ltd., Actavis, LLC, Actavis Pharma, Inc., Hetero Labs, Ltd., Hetero Drugs, Ltd., Hetero USA Inc., Camber Pharmaceuticals, Inc., Auromindo Pharma, Ltd., Auromindo Pharma USA, Inc., Aurolife Pharma, LLC, Torrent Private Limited, Torrent Pharmaceuticals, Ltd., and Torrent Pharma, Inc. (collectively, the “Defendants”). Voluntary dismissal is appropriate because

Defendants have not yet served an answer or motion for summary judgment. *See Fed. R. Civ. P. 41(a)(1)(A)(i).*

As described in Special Master Order 60, Humana brought this action to preserve its claims during the pendency of a motion to certify a class of economic loss plaintiffs in *In re: Valsartan, Losartan, and Irbesartan Products Liability Litigation*, MDL No. 19-2875 (the “MDL”), given the uncertainty whether Humana would fall within the definition of a certified class. (ECF No. 29) (“SMO 60”). In SMO 60 the Special Master granted Humana’s request to stay this case pending further Order from the Court until that motion for class certification was resolved. (*Id.* at 5.) On February 8, 2023, the motion for class certification was granted in part, such that Humana is a member of the consumer economic loss class. MDL at ECF No. 2262. On January 31, 2024, the period for notice to class members and deadline to opt out of the class passed. *Id.* at ECF 2535. Humana has elected to remain a member of the certified classes and did not exercise its right to opt out of any class. Accordingly, this separate suit is no longer needed because Humana is “proceed[ing] as part of the class.” SMO 60, at 4.

Dated: March 6, 2024

Respectfully submitted,

s/ Benjamin E. Waldin  
Benjamin E. Waldin  
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*Counsel for Plaintiff Humana Inc.*

**CERTIFICATE OF SERVICE**

I, Benjamin E. Waldin, hereby certify that on March 6, 2024, copies of the foregoing Plaintiff Humana Inc.'s Notice of Voluntary Dismissal of Defendants has been served via ECF upon all counsel of record in the Court's electronic filing system.

Dated: March 6, 2024

s/ Benjamin E. Waldin  
Benjamin E. Waldin